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U.S. Customs and Border Protection

MEMORANDUM FOR: PATROL AGENTS IN CHARGE
AND UNIT SUPERVISORS
El PASO SECTOR **(b)(6)(b)(7)(C)**

FROM: **(b)(6)(b)(7)(C)**
Chief Patrol Agent
El Paso Sector

SUBJECT: Credible Fear Referrals/Asylum Claims

Recent reports of increased threats to Mexican Law Enforcement Officers in the Ciudad Juarez, Chihuahua area has resulted in an increase in the number of persons applying for asylum at the El Paso Ports of Entry. The possibility exists that El Paso Sector Agents may encounter undocumented aliens who claim a credible fear of returning to Mexico.

Should any alien in Border Patrol custody express a fear of persecution or torture, or a fear of returning to his/her country, that alien should be processed for removal and held for a credible fear interview. All A-files containing a credible fear claim should be labeled "Credible Fear, Refer to Asylum Officer'.

As a general rule, an alien should be processed for a credible fear claim who:

- Expresses a fear or concern about physical/psychological harm from any individual or organization, or who mentions past physical/psychological harm.
- Answers affirmatively to any of the protection-related questions on Form I-867B even if the alien provides no additional information related to the fear of return.
- Answers affirmatively to one of the protection-related questions or requests asylum, and later recants or asks to be voluntarily returned.
- Exhibits any non-verbal cues, such as crying, hysteria, trembling, unusual behavior, incoherent or difficult speech patterns that alert the agent to possible fear of harm.

The credibility of the claim, the alien's identity, or any other agent observation should not affect the agent's decision to refer the detainee for credible fear. Only an asylum officer can determine eligibility under the credible fear standard.

Please contact the El Paso Sector Prosecutions Office at (915)**(b)(6)(b)(7)(C)** or the Duty Cell Phone at (915)**(b)(6)(b)(7)(C)**. The Houston Asylum Office can be contacted at 16630 Imperial Valley Suite 200, Houston, Texas 77060, **(b)(6)(b)(7)(C)** or **(b)(6)(b)(7)(C)**.